

So I am sure they are going to keep calling affordable childcare “radical” and insisting that it would be better to do just nothing, and I am equally sure that Democrats are going to get this done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PADILLA). Without objection, it is so ordered.

#### DR. LORNA BREEN HEALTH CARE PROVIDER PROTECTION ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Chair lay before the Senate the message to accompany S. 610.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 610) entitled, “An Act to address behavioral health and well-being among health care professionals”, do pass with an amendment.

#### MOTION TO CONCUR

Mr. SCHUMER. Mr. President, I move to concur in the House amendment.

#### CLOTURE MOTION

I send a cloture motion to the desk. The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to S. 610, a bill to address behavioral health and well-being among health care professionals.

Charles E. Schumer, Tina Smith, Martin Heinrich, Elizabeth Warren, Patty Murray, Tammy Duckworth, Tim Kaine, Gary C. Peters, Angus S. King, Jr., Richard J. Durbin, Brian Schatz, Margaret Wood Hassan, Jacky Rosen, Chris Van Hollen, Jeanne Shaheen, Christopher Murphy, Ron Wyden.

#### MOTION TO CONCUR WITH AMENDMENT NO. 4871

Mr. SCHUMER. Mr. President, I move to concur in the House amendment, with an amendment No. 4871, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], moves to concur in the House amendment, with an amendment numbered 4871.

Mr. SCHUMER. I ask unanimous consent that further reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

#### SEC. \_\_\_\_ EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

Mr. SCHUMER. I ask for the yeas and nays on the motion to concur with the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 4872 TO AMENDMENT NO. 4871

Mr. SCHUMER. Mr. President, I have an amendment to the amendment No. 4871, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], proposes an amendment numbered 4872 to amendment No. 4871.

Mr. SCHUMER. I ask that further reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike “1 day” and insert “2 days”.

#### MOTION TO REFER WITH AMENDMENT NO. 4873

Mr. SCHUMER. Mr. President, I move to refer the House message to the Committee on Finance with instructions to report back forthwith with an amendment numbered 4873.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], moves to refer the House message to accompany S. 610 to the Committee on Finance with instructions to report back forthwith with an amendment numbered 4873.

Mr. SCHUMER. I ask that further reading be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

#### SEC. \_\_\_\_ EFFECTIVE DATE.

This Act shall take effect on the date that is 5 days after the date of enactment of this Act.

Mr. SCHUMER. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 4874

Mr. SCHUMER. Mr. President, I have an amendment to the instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], proposes an amendment numbered 4874

to the instructions on the motion to refer S. 610.

Mr. SCHUMER. I ask that further reading be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike “5 days” and insert “4 days”.

Mr. SCHUMER. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 4875 TO AMENDMENT NO. 4874

Mr. SCHUMER. Mr. President, I have an amendment to amendment No. 4874, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], proposes an amendment numbered 4875 to amendment No. 4874.

Mr. SCHUMER. I ask that further reading of the amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike “4 days” and insert “3 days”.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 486.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 486, Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

Charles E. Schumer, Richard J. Durbin, Debbie Stabenow, Chris Van Hollen, Kirsten E. Gillibrand, Christopher A. Coons, Benjamin L. Cardin, Patty Murray, Alex Padilla, Tina Smith, Ben Ray Lujan, Sheldon Whitehouse, Mazie Hirono, Elizabeth Warren, Jeff Merkley, Cory A. Booker, Brian Schatz.

## LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 533.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

## CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 533, Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

Charles E. Schumer, Richard J. Durbin, Debbie Stabenow, Chris Van Hollen, Kirsten E. Gillibrand, Christopher A. Coons, Benjamin L. Cardin, Patty Murray, Alex Padilla, Tina Smith, Ben Ray Lujan, Sheldon Whitehouse, Mazie Hirono, Elizabeth Warren, Jeff Merkley, Cory A. Booker, Brian Schatz.

## LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 576.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire.

## CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 576 Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Charles E. Schumer, Richard J. Durbin, Tina Smith, Martin Heinrich, Elizabeth Warren, Patty Murray, Tammy Duckworth, Tim Kaine, Gary C. Peters, Angus S. King, Jr., Brian Schatz, Margaret Wood Hassan, Jacky Rosen, Chris Van Hollen, Jeanne Shaheen, Christopher Murphy, Ron Wyden.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, December 7, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

## LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar No. 583, No. 584; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Brandon B. Brown, of Louisiana, to be United States Attorney for the Western District of Louisiana for the term of four years; and Ronald C. Gathe, Jr., of Louisiana, to be United States Attorney for the Middle District of Louisiana for the term of four years, en bloc?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

## BETTER CYBERCRIME METRICS ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 173, S. 2629.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2629) to establish cybercrime reporting mechanisms, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2629) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2629

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Better Cybercrime Metrics Act".

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Public polling indicates that cybercrime could be the most common crime in the United States.

(2) The United States lacks comprehensive cybercrime data and monitoring, leaving the country less prepared to combat cybercrime that threatens national and economic security.

(3) In addition to existing cybercrime vulnerabilities, the people of the United States and the United States have faced a heightened risk of cybercrime during the COVID-19 pandemic.

(4) Subsection (c) of the Uniform Federal Crime Reporting Act of 1988 (34 U.S.C. 41303(c)) requires the Attorney General to "acquire, collect, classify, and preserve national data on Federal criminal offenses as part of the Uniform Crime Reports" and requires all Federal departments and agencies that investigate criminal activity to "report details about crime within their respective jurisdiction to the Attorney General in a uniform matter and on a form prescribed by the Attorney General".

**SEC. 3. CYBERCRIME TAXONOMY.**

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Attorney General shall seek to enter into an agreement with the National Academy of Sciences to develop a taxonomy for the purpose of categorizing different types of cybercrime and cyber-enabled crime faced by individuals and businesses.

(b) **DEVELOPMENT.**—In developing the taxonomy under subsection (a), the National Academy of Sciences shall—

(1) ensure the taxonomy is useful for the Federal Bureau of Investigation to classify cybercrime in the National Incident-Based Reporting System, or any successor system;

(2) consult relevant stakeholders, including—

(A) the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security;

(B) Federal, State, and local law enforcement agencies;

(C) criminologists and academics;